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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/079,844	02/22/2002	Norio Tanaka	122.1492	7542

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1201 NEW YORK AVENUE, N.W.  
WASHINGTON, DC 20005

EXAMINER
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CASLER, TRACI

ART UNIT	PAPER NUMBER
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3629

MAIL DATE	DELIVERY MODE
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08/07/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**Office Action Summary**

Application No.

10/079,844

Applicant(s)

TANAKA, NORIO

Examiner

Traci L. Casler

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 14 May 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_.

### **DETAILED ACTION**

This action is in response to papers filed on May 14, 2007.

Claims 1 has been amended.

Claims 1-12 are pending.

Claims 1-12 are rejected.

### ***Claim Rejections - 35 USC § 102***

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 1-12 are rejected under 35 U.S.C. 102(b) as being anticipated by US Patent 5,614,703 Martin et al. Hotel Check-in System with Wireless Communication. Hereinafter referred to as Martin.
2. As to claims 1, 4 and 7-9 Martin teaches a system and method for obtaining and inputting a guests room number into a hotel computer system(C. 2 I. 23-27).
3. comparing guest attributes with hotel facilities and indicating suitable facilities.(C. 2 I. 40-52).
4. As to claims 2 and 5 Martin teaches tracking facility charge to be paid at check-out.(Pg. 2 I. 50-55).
5. As to claims 3, 6 and 12 transmitting service availability to user at various devices(C. 2 I. 61-61 & C. 5 I. 58-61).
6. As claim 11 Martin teaches guest information as preferences s(C. 10 I. 5-10).

### ***Response to Arguments***

1. Applicant's arguments filed May 14, 2007 have been fully considered but they are not persuasive.

2. The applicant argues that a “prima facie” has not been met by the examiner to prove anticipation. The applicant argues that the prior art of reference fails to teach “transmitting a room number to a management system to obtain information about a guest.” The examiner notes every time a guest uses the key for a room or pool access etc the system is accessing the management system to determine if the key is verified and can access that location.

3. The applicant argues that the examiners interpretation of a hotel room as a hotel facility is improper. The examiner notes although the applicant may intend for a facility to mean a restaurant, gym or pool neither applicants claim language nor the disclosure precludes the hotel facility from being a hotel room. When broadly interpreted a the word facility as used by the applicant simply means something that is built, installed or established to serve a purpose. The purpose of a hotel room is to allow a guest to sleep or utilize while away from home.

4. Applicant argues that Martain fails to operate as a “service management apparatus for hotel facilities in conjunction with a lodging management system”. The examiner notes the service management “program” as claimed by the applicant is merely a software program running on the hotels computer system “lodging management system”. Therefore, a hotel-check in system constitutes a service on the hotels computer. Furthermore, the examiner note as the system additionally allows the user interaction with the recreation facilities such as a pool or exercise room.

5. Applicant alleges that Martin fails to teach “comparing guest attributes with hotel facilities and indicating suitable facilities”. The examiner notes as method claims do not

have to be performed in any particular step this step does not have to be performed as applicant argues after the transmitting of the room number to the lodging system. The comparing CAN be done when determining a guest room. The guest comes in with a reservation and wants to register/check-in the system will retrieve the guest reservation and review the preferences(attributes) to determine if the user wants a non-smoking/smoking or handicap room.

6. The examiner additionally notes Applicant's arguments fail to comply with 37 CFR 1.111(b) because they amount to a general allegation that the claims define a patentable invention without specifically pointing out how the language of the claims patentably distinguishes them from the references. For the sake of advancing prosecution the examiner has address applicants arguments to more clearly point out the examiners position on the interpretation of the claims.

### ***Conclusion***

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

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the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Traci L. Casler whose telephone number is 571-272-6809. The examiner can normally be reached on Monday-Thursday 6:00 am-4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on 571-272-6812. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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